



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR
SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL
ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on September 27, 2004.

(Agent Signature)

Karl F. Kenna, Reg. No.: 45,445

Signature Date: September 27, 2004

**DECLARATION UNDER 37 C.F.R. §1.47 ON BEHALF OF
SIGNING INVENTORS IN SUPPORT OF
PETITION TO ACCEPT DECLARATION IN RESPONSE TO
A MISSING PARTS WITHOUT THE SIGNATURE OF A JOINT INVENTOR**

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

Sir:

Applicants, through their undersigned attorney, hereby petitions the Commissioner to accept Applicants' Response to Notice to File Missing Parts in the above-identified application. Applicants make the following declaration:

Declaration by Applicant

1. Inventor Doug Dew, a former employee of BEA Systems, Inc., is a joint inventor in the above-identified application, assigned or to be assigned to BEA Systems, Inc.

2. On June 8, 2004, Applicants' attorney, in his customary practice of obtaining executed formal papers, namely a Declaration for Patent Application, and an Assignment from the inventors and employees of BEA Systems, Inc., sent an email to the inventors Timothy Breeden and Doug Dew at their email addresses at BEA Systems, Inc. identified as follows: timb@bea.com and ddew@bea.com.

3. On June 9, 2004, Applicants' attorney received an email notification stating that the email sent to Doug Dew dated June 8, 2004 was returned because the email address had permanent fatal errors.

4. On June 10, 2004, Applicants' attorney contacted BEA Systems, Inc. to inquire about the two inventors' current home address, citizenship, and if they were still employed with BEA Systems, Inc. On June 14, 2004, Applicants' attorney learned that Timothy Breeden was still employed at BEA Systems, Inc. and Doug Dew was not.

5. On June 15, 2004, after learning of the inventors' home addresses, Applicants' attorney prepared the necessary formal documents required in all newly filed patent applications, and sent via FedEx a set of formal documents to each of the inventors for execution.

6. On July 15, 2004, after Applicants' attorney received no response from either inventors, Applicants' attorney therefore sent a follow-up letter to both inventors via FedEx.

7. On August 24, 2004, Applicants' attorney received Timothy Breeden's executed formal documents which Applicants' attorney will be filing with this Petition with the U.S. Patent and Trademark Office.

8. On August 24, 2004, Applicants' attorney again sent a follow-up letter to Doug Dew via FedEx.

9. On August 26, 2004, Applicants' attorney learned that Doug Dew's home address had changed to an address in Champaign, Illinois, and subsequently Applicants' attorney sent a follow-up letter via FedEx.

10. On September 13, 2004, Applicants' attorney followed up with Doug Dew via email and Applicants' attorney received a response from Doug Dew on September 14, 2004 stating that he had returned to Applicants' attorney all formal papers. Indeed the undersigned attorneys' office received formal papers from Doug Dew for other patent applications which he is a named inventor but not one for this particular patent application which Applicants' attorney communicated to Doug Dew on September 14, 2004.

11. On September 24, 2004, after not receiving the formal documents or a response from Doug Dew, Applicants' attorney then followed up with an email to inquire about the formal documents.

12. On September 24, 2004, the office of the Applicants' attorney called information "411" to obtain Doug Dew's home telephone number in an attempt to call him but discovered that his phone number is unlisted.

13. Applicants' attorney believes it has made a diligent effort in attempting to contact inventor, Doug Dew so as to fulfill the formal documents requirement in a timely manner. Due to the above-described delays however, Applicant has been to date unable to obtain a signed Declaration from this inventor. To avoid any further delay and additional fees in its Response to the Notice to File Missing Parts in the above, and to submit all formal documents in a timely manner, Applicant and the signing inventor petitions the Commissioner to deem Applicants' missing parts requirement fulfilled, and to proceed with further prosecution of the herein case without further attempts required of Applicants in obtaining inventor Doug Dew's execution of formal documents.

14. Inventor Doug Dew's last known contact information is 2545 W. Springfield, Apt. 6, Champaign, IL 61821.

Respectfully submitted,

FLIESLER MEYER LLP

Date: September 27, 2004

By: _____



Karl F. Kenna
Reg. No. 45,445

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DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if one name is listed below), or first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT**

the specification of which (check applicable ones):

_____ is filed herewith;
☒ _____ was filed with the above-identified and Appln. No. 10/733,989 on December 11, 2003;
_____ was amended on (or amended through) _____.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56.

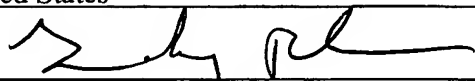
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of sole
or first inventor: Timothy Breedon

(1) Residence: 1301 Canyon Blvd., Apt. 309
Boulder, CO 80302-5364

(1) Mailing Address: 2315 North First Street
San Jose, CA 95131

(1) Citizenship: United States

(1) Inventor's signature: 

(1) Date: 8/20/07

(2) Full name of second
joint inventor: Doug Dew

(2) Residence: 4610 Raleigh St.
Boulder, CO 80212

(2) Mailing Address: 2315 North First Street
San Jose, CA 95131

(2) Citizenship: _____

(2) Inventor's signature: _____

(2) Date: _____
